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March 26, 1998

Office of the Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

To the Secretary,

Please accept the attached reply comments in the matter of the Further Notice Of Proposed Rule Making on closed captioning of televised emergency information, MM Docket No. 95-176.

Sincerely,

Larry Goldberg
Director

enc.

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
)
Closed Captioning and Video)
Description of Video Programming)
)
Implementation of Section 305 of the)
Telecommunications Act of 1996)
)
Video Programming Accessibility)

MM Docket No. 95-176

REPLY COMMENTS OF
THE CPB/WGBH NATIONAL CENTER FOR ACCESSIBLE MEDIA
TO FURTHER NOTICE OF PROPOSED RULEMAKING

I. Introduction

The CPB/WGBH National Center for Accessible Media (NCAM) hereby submits these reply comments to the Federal Communications Commission's (FCC) Further Notice of Proposed Rulemaking (FNPRM) in the above captioned proceeding on access to televised emergency information by individuals who are deaf and hard of hearing. NCAM is the research and development arm of WGBH's Media Access division which also consists of The Caption Center and Descriptive Video Service®. WGBH is Boston's public broadcaster which has been serving the media-based information and entertainment needs of people with disabilities since the founding of The Caption Center in 1972. The three Media Access departments at WGBH are staffed by more than 150 people in offices in Boston, New York, and Los Angeles.

The Caption Center has been providing news captioning services since *The Captioned ABC Evening News* which provided a time-delayed, open-captioned rebroadcast of ABC's nightly news to hundreds of PBS affiliates throughout the

1970s. The Caption Center began real-time captioning of local news in Boston in 1985, employing court stenographers specially trained for live broadcast news captioning ("stenocaptioners.") Since 1985, The Caption Center has captioned tens of thousands of hours of live programming, from local news to national network news to sports, awards shows, teleconferences, political debates and every other form of live television.

The Caption Center has trained numerous stenocaptioners, has published a real-time captioning training manual, has spoken many times at national conferences of court reporters, and has developed hardware and software systems to facilitate the captioning of live events, both on-site and remotely from The Caption Center's real-time studios in Boston.

The Caption Center has endeavored to serve the needs of deaf and hard-of-hearing viewers through high-quality captioning services, outreach, and information provided to help make caption-watchers informed consumers. At the same time, The Caption Center has been comprehensively serving its clients in the broadcast field by providing responsive and technically advanced service at affordable prices. The Caption Center has been the grateful recipient of grants from the U.S. Department of Education which partially funds the captioning of most national news programs (additional funds are provided by program producers and distributors and corporate sponsorships and foundation grants). In addition, The Caption Center has often partnered with some of its competitors in the field in order to more efficiently serve the needs of both caption-watchers and video programming clients.

The Caption Center and all of the major providers of live captioning services provide their captioning on a "remote" basis; that is, the stenocaptioner is located at a location tens, hundreds or thousands of miles away from the program origination site. In most cases, the full television signal (audio and video) is received at the caption provider's workplace via satellite, cable or local broadcast. For instance, The

Caption Center's Boston office receives TV signals from Needham, MA or New York or Washington, DC or Los Angeles and transmits the data back to those locations via phone line. The question as to whether emergency captioning services can be provided remotely is easily answered "yes" since that is how most live captioning is done today.

II. The Technology and Capacity of the Captioning Marketplace

Numerous comments have been filed on this proceeding and many strong arguments have been made on many sides of the question of providing captioned access to emergency messages on television. We would like to confine our comments to the question of the marketplace for captioning services and the ability to provide such services in ways that are innovative, both technically and financially.

Since the beginning of captioning of television in 1972, to the advent of closed captioning in 1980, followed shortly by live news closed captioning, through today's pervasive availability of closed captioned programs, the growth in the availability of captioning services has been remarkable. At the start, there was only one service provider for almost a decade (WGBH's Caption Center), then only two, both non-profit (The Caption Center and the National Captioning Institute) in the early 1980s, then three (the for-profit Caption America, now Vitac) and finally today, when there are literally hundreds of caption service providers, most of them for-profit companies.

As competition has grown, so has the technology advanced. Hardware and software tools have emerged that provide everything a real-time captioning agency needs. Equipment suppliers have responded with newer and better keyboards; data encoders have been improved, made smaller and offered at lower and lower prices; and of course computers have become exponentially cheaper and more powerful since 1980.

An issue any growing and maturing industry faces is falling prices due to aggressive competition. It wasn't so long ago that the rate-card price for an hour of real-time captioning was \$2,500. In the past few years, that benchmark has dropped precipitously to a point today where some providers, under certain circumstances, are offering real-time captioning services for as low as \$200 per hour or less. The court reporting field has turned to offering real-time captioning services as an important product and many small entrepreneurial firms have started offering the service.

What began emerging even before the passage of the TV Decoder Act of 1990 was an industry of enterprising small businesses ready, willing and able to provide service cheaply and in innovative ways. Two of the commenters in this proceeding are examples of this new class of service providers: Media Captioning Services of Carlsbad, California and Caption Colorado of Denver, Colorado. There are many more companies like this (The Closed Captioning Web site at (<http://www.erols.com/berke/>) lists approximately 130 providers with a mix of off-line and real-time services). All of these recent entrants to the field have grown due to increased demand and marketplace opportunities. Each must differentiate themselves in some way, such as Caption Colorado's use of audio-only remote captioning services - and they are far from alone in providing such a service.

All of this is to say that the technology is available, prices are already dropping, and there are many companies in this country already established and capable of offering the type of comprehensive and verbatim service needed for providing equal access to emergency information on television. More companies are entering the marketplace every day in anticipation of the outcomes of the Telecommunications Act mandates and many will be prepared to provide contracted on-call services through any number of enterprising arrangements with video programming suppliers.

One last point about the technology: Caption Colorado in its comments at paragraph 10 stated that "As long as a station has the phone lines we need and can provide the phone numbers, we have been able to provide any and all captioning needed." This is no doubt true of many such providers. However, one additional piece of equipment is needed to be able to provide such a complete and on-call service: a caption encoder which embeds the data from the remote captioning agency into the video signal at the TV station. Such encoders are available for less than \$5,000 as a stand-alone unit or \$1,000 as a PC card. With this equipment and the ability to hear a broadcast, audio-only remote captioning is indeed possible.

III. Conclusion

Deaf and hard-of-hearing television viewers have clearly stated their concern about availability of full information during local and national emergencies. The definition of such situations must be clearly drawn and the extent of the responsibility of video programming providers also needs to be delineated. As for the technology for real-time stenocaptioning, it is available today. The entrepreneurial character and determination of large caption agencies and small businesses in the court-reporting field would assure that, if the FCC so decides, and with a relatively short phase-in period, emergency services can be made available.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Larry Goldberg", is written over a horizontal line.

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March 26, 1998